

Mark L. Freed, Esquire
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April 21, 2017

Juan Fajardo, Esquire
U.S. Environmental Protection Agency
Region 2
Regional Counsel
New Jersey Superfund Branch
290 Broadway, 17th Floor
New York, NY 10007-1866

RE: Offer of Cash Out Settlement at the Diamond Alkali Superfund Site
Lower 8.3 Miles of Lower Passaic River; Essex and Hudson Counties, New Jersey

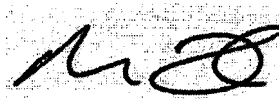
Dear Mr. Fajardo:

This firm represents E.M. Sergeant Pulp and Chemical Co. (E.M. Sergeant) in regard to the above-referenced matter. We are in receipt of a copy the U.S. Environmental Protection Agency's (EPA) March 30, 2017 letter offering E.M. Sergeant a cash-out settlement in the amount of \$280,600 related to the lower 8.3 miles of the Lower Passaic River a/k/a Operable Unit 2 (OU2). E.M. Sergeant intends to enter into a settlement agreement with EPA in substantially the same form as the draft which accompanied the March 30 Letter, subject to final approval by its insurance carriers. Please note, however, that given the size of the proposed settlement amount, E.M. Sergeant will require a partial payment plan. We would like to discuss the terms to such a plan with you.

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Please feel free to let me know if you have any comments or questions.

Very truly yours,

A handwritten signature in black ink, appearing to read 'M. L. Freed', with a stylized flourish at the end.

Mark L. Freed, Esquire
For CURTIN & HEEFNER LLP